

District Judge James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SEA SHEPHERD LEGAL,

Plaintiff,

v.

NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION, *et*  
*al.*,

Defendants.

Case No. C19-463 JLR

JOINT STATUS REPORT AND  
~~PROPOSED~~ ORDER

Noted for Consideration:  
January 7, 2020



Plaintiff SEA SHEPHERD LEGAL ("SSL") filed the above-captioned lawsuit under the Freedom of Information Act ("FOIA") against Defendants NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ("NOAA") and NATIONAL MARINE FISHERIES SERVICES ("NMFS"), seeking disclosure of certain documents. On October 11, 2019, the Court granted the parties' stipulated motion to stay the dispositive briefing schedule. Dkt. No. 19. Defendants began processing additional documents in response to Plaintiff's FOIA requests at issue in this case, as well as Plaintiff's supplemental FOIA request in a related case pending before the Court. *Sea Shepherd Legal v. NOAA, et al.* 19-cv-1485-JLR.

Since the Court granted the parties' stipulated motion, Defendants have conducted a search of potentially responsive records between December 21, 2018 and March 18, 2019 ("Gap Documents"). On November 4, 2019, Defendants fully released 191 Gap Documents. On November 19, 2019, Defendants fully released 106 Gap Documents and 141 partially-redacted Gap Documents. Because much the subject matter of the two FOIA requests substantially overlap, Defendants are currently processing potentially responsive records to SSL's FOIA request at issue in this case and the FOIA request at issue in *Sea Shepherd Legal v. National Oceanic and Atmospheric Administration*, 19-cv-1485-JLR, for the period prior to October 9, 2019, including records for the period prior to December 21, 2018. Defendants intend to produce monthly interim record releases to SSL.

The parties believe that responding to the supplemental FOIA request, with the inclusion of the gap period, may lead to the resolution of both this case and the related case without the need for additional judicial intervention.

Accordingly, for good cause as described above, the parties respectfully request that the Court allow the parties to file a status report on or before February 6, 2019.

Dated this 7th day of January 2020.

Respectfully submitted,

s/ Brett W. Sommermeyer  
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s/ Catherine E. Pruett  
CATHERINE E. PRUETT, WSBA # 35140

s/ Darius G. Fullmer  
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~~PROPOSED~~ ORDER

Having reviewed the parties' stipulated motion, the Court finds good cause shown for the parties to continue working towards a resolution of this matter. The parties shall submit a joint status report to the Court on or before February 6, 2020.

Dated this <sup>su</sup>7 day of January 2020.

  
JAMES L. ROBART  
United States District Judge